THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.17041 OF 2006

DATED: 10-04-2007

BETWEEN

Smt. Ataharunnisa,
W/o. Ennus MD,
R/o. Flat No.102,
Preetam Nivas,
Thotavari Street,
Patamata, Vijayawada,
Krishna District.

...PETITIONER

AND

The Commissioner of Police,
Vijayawada, Krishna District
and others.

...RESPONDENTS

ORDER:

Petitioner submits that she is unaware of her husband's financial and business transactions with outsiders much less with unofficial respondents 4 to 8. While so, the unofficial respondents 4 to 8 illegally entered into her house and attacked her demanding to return huge amount of lakhs of rupees contending that her husband is indebted to them. She further submits that her husband has not executed any document and he is not due any amount to the unofficial respondents. However, the respondents while abusing her in filthy language beat her and forcibly obtained signatures on blank promotes as if she were indebted to them. She, therefore, lodged a report before the third respondent but the third respondent did not take any action, more so, at the instance of the unofficial respondents the official respondents 1 to 3 are

interfering with her personal life and liberty.

2. Admittedly, the petitioner has not made any representation with regard to the alleged interference by the official respondents before the Commissioner of Police or any other superior officers. If the complaint lodged by the petitioner is not registered, it is for the petitioner to make a representation before the Commissioner of Police or the Superintendent of Police, even then if no action is taken, there is effective remedy available to the petitioner under the Code of Criminal Procedure, 1973, by way of filing a private complaint under Section 200 read with 190. Without taking recourse as indicated above, the petitioner is not entitled for any relief in the writ petition.

The writ petition is accordingly dismissed with a liberty to the petitioner to take appropriate action as indicated above. There shall be no order as to costs.

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V. ESWARAIAH, J

April 10, 2007
DSK